

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

VITOL, INC.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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CIVIL ACTION H-18-2275

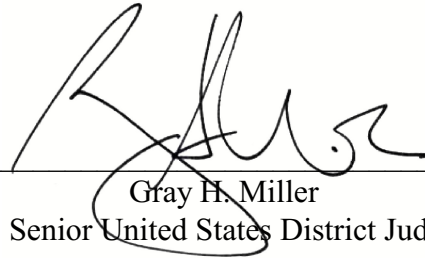
ORDER

Pending before the court is a memorandum and recommendation filed by Magistrate Judge Nancy K. Johnson (“M&R”). Dkt. 73. The M&R recommends denying plaintiff Vitol, Inc.’s (“Vitol”) motion for partial summary judgment (Dkt. 36) and denying as moot Vitol’s motion to strike (Dkt. 60). *Id.* Vitol objected to the M&R. Dkt. 74.

A party may file objections to a Magistrate Judge’s ruling within fourteen days of being served with a copy of a written order. Fed. R. Civ. P. 72; *see also* 28 U.S.C. § 636(b)(1)(c). When timely objections are filed, the standard of review used by the district court depends on whether the Magistrate Judge ruled on a non-dispositive or dispositive motion. *See* Fed. R. Civ. P. 72; *see also* 28 U.S.C. § 636(b)(1)(c). For non-dispositive motions, district courts must “modify or set aside any part of the order that is clearly erroneous or is contrary to law.” Fed. R. Civ. P. 72 (a). For dispositive motions, district courts “must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3).

The court, having reviewed de novo the motions, M&R, pleadings, objections, and applicable law, finds that, for the reasons stated in the M&R, Vitol's motion for partial summary judgment (Dkt. 36) should be **DENIED** and Vitol's motion to strike should be **DENIED AS MOOT**. The court **ADOPTS IN FULL** the M&R.

Signed at Houston, Texas on March 24, 2020.



Gray H. Miller
Senior United States District Judge